REMARKS

Claims 14-29 are pending in the present application. None of the claims were amended in this response. Favorable reconsideration is respectfully requested.

Claims 14-15, 19-21, 23, 25, 28 and 29 have been rejected under 35 USC 102(e) as anticipated by Lim (U.S. Pub. 2002/0057663); and Claims 16-18 have been rejected under 35 USC 103(a) as unpatentable over Lim (U.S. Pub. 2002/0057663) in view of Holden (US Patent 6,771,639). Applicant respectfully traverses these rejections.

In response to the Amendment, in paragraph 3 of the Office Action, the Examiner states that "Lim discloses a system where the form of transmitted data is announced ahead of time. Applicant is referred to section [0019] lines 11-14 where only the targeted receiver receives and process data packets by referring to the header information. This header information arrives before data and announces the types of arriving packet data. Applicant is further referred to section [0021] lines 4-8 and section [0022] lines 10-13 where such a header with such function is disclosed."

1. Announcement of planning information before transmission of user data

The Examiner states that Lim discloses announcement of planning information before transmission of the user data. According to the Examiner, the claimed planning information corresponds to header information of packet, and such header information is transmitted to a receiver before the user data, citing [0019] of Lim. Applicants respectfully disagree. The header information arrives together with the user data, because the header information is transmitted in the <u>same</u> message as the user data and <u>not</u> - as claimed by the invention - <u>before</u> the user data massages.

2. Type and coding of user data messages

The Examiner also states that the header information of Lim announces the "types of the arriving packets." The Examiner cites paragraphs [0021] and [0022] in this regard. However, in the cited passages the only thing determined, based on header information within the packet data, is whether the subscriber is an intended recipient of the packet data. Moreover, this is achieved with a header which comprises a multicast group identifier – see paragraphs [0048] and [0054]. The data are only received by those subscribers which have subscribed to the identified multicast group - see paragraphs [0051] and [0058]. Obviously, such a multicast group identifier is neither a "data type" nor a "coding" of the packet data. With a multicast group identifier, a subscriber's

device can make a decision whether the subscriber is <u>an intended recipient</u>. However, it is not possible for a subscriber device to make, with a multicast group identifier, a decision whether it is capable of processing the <u>user data message</u>. This is only possible with planning information which includes at least one of a data type and a coding of the user data messages, as required by the claimed invention. Significantly, without knowing the form of the data, the terminal can not make a decision whether it will be able to edit and/or decode the data. Thus, a subscriber who has subscribed to a specific service (e.g. video/music download or email push service) may receive data that is - according to the multicast technology - correctly sent to him as a subscribed member of a multicast group even though the subscriber will not be able to edit and/or decode the received data.

For at least these reasons, Applicant respectfully submits the rejection is improper and should be withdrawn. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0112740-1050) on the account statement.

Respectfully submitted,

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BY

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